EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Visconti on December 16, 2009.

The application has been amended as follows:

IN THE CLAIMS:

Claim 20. An acoustic monitoring device for verifying the pressure setting of a valve mechanism in an implantable device having a plurality of adjustable valve settings, comprising:

an extracorporeal housing having a top surface, a bottom surface, and a central opening;

a transmitter contained within the housing having a plurality of electromagnetic coils configured to generate an energy field sufficient to effect movement of the valve mechanism of the implantable device; ~~and~~

an acoustic sensor disposed within the central opening in the housing and electronically coupled to the transmitter for detecting acoustic signals generated by the valve mechanism during an adjustment cycle; and

a microprocessor configured to compare the detected acoustic signals to expected acoustic signals to verify the pressure setting of the valve mechanism.

Claim 37. An acoustic monitoring system for verifying the pressure setting of a valve mechanism in an implantable device having a plurality of adjustable valve settings, comprising:

an extracorporeal device for adjusting an opening pressure of the valve mechanism;

an extracorporeal transmitter having a central opening formed therein and configured to generate an energy field sufficient to cause movement of the valve mechanism; and

an acoustic sensor disposed within the central opening in the transmitter and electrically coupled to the transmitter for detecting acoustic signals generated by the valve mechanism during and adjustment cycle;

wherein the transmitter communicates the detected acoustic signals to the device for analysis, and

wherein the device includes a microprocessor configured to compare the detected acoustic signals to expected acoustic signals to verify the pressure setting of the valve mechanism.

The following is an examiner's statement of reasons for allowance:

The prior art of record of Porat and Hakim does not teach or suggest, an acoustic monitoring device that includes an extracorporeal housing having a top surface, a bottom surface, and a central opening; a transmitter contained within the housing having a plurality of electromagnetic coils configured to generate an energy field sufficient to effect movement of the valve mechanism of the implantable device; an acoustic sensor disposed within the central opening in the housing and electronically coupled to the transmitter for detecting acoustic signals generated by the valve mechanism during an adjustment cycle; and a microprocessor configured to compare the detected acoustic signals to expected acoustic signals to verify the pressure setting of the valve mechanism as now claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN F. RAMIREZ whose telephone number is (571)272-8685. The examiner can normally be reached on (Mon-Fri) 7:00 - 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on (571) 272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRIAN CASLER/
Supervisory Patent Examiner, Art Unit 3737

/J. F. R./

Examiner, Art Unit 3737